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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	June <i>et al.</i>	Art Unit:	To Be Assigned
Serial No.:	To Be Assigned	Examiner:	To Be Assigned
Date Filed:	April 20, 2004	Conf. No.	To Be Assigned
Docket No.:	36119.140US3	Cust. No.:	23483
Title:	Methods for Transfecting T Cells		

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV 22520178505

Express Mail No.

4/30/04

Date of Deposit



Sharon R. Matthews

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. 1.56, 1.97 and 1.98, Applicants submit herewith the attached Forms PTO-1449 and Forms PTO-892 for filing in the above-referenced application. This application is a continuation of pending U.S. Application Serial No. 10/658,787, filed September 9, 2003, which is a continuation of U.S. Application Serial No. 08/475,136, filed June 7, 1995 (now U.S. Patent No. 6,692,964). The attached Forms PTO-1449 and Forms PTO-892 stamped "copy" list references that were already submitted by the Applicants or cited by the Examiner in the parent applications; therefore, pursuant to 37 C.F.R. § 1.98 (d), no copies of the previously cited art are enclosed; however, copies can be provided upon request.

Information Disclosure Statement

June et al.

Docket No. 36119.140US3

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The attached Form PTO-1449 listing the reference, "Culver et al." identifies the one new reference citation being made in the present application. The Culver et al. reference was brought to the Applicants' attention by Examiner Nguyen during the prosecution of parent application, U.S. Application Serial No. 08/475,136 (U.S. Patent No. 6,692,964), but was never formally cited in a Form PTO-892.

Copies of the corresponding PCT International Search Report, PCT Written Opinion and PCT International Preliminary Examination Report (IPER) are also attached.

This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97 (b) (3), before the mailing date of a first Office Action on the merits; therefore, no fee is believed to be due.

The submission of this statement is not a representation that a search has been made, or that no better or other relevant art exists. This submission is also not an admission that any of the cited references is, or is considered to be material to patentability or that any of the cited references constitutes prior art to the invention. Moreover, the Applicants understand that the Examiner will make an independent evaluation of the cited publications.

It is respectfully requested that the information above be expressly considered and that the publications be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The Examiner is respectfully requested to initial the attached Forms PTO-1449 and Forms PTO-892 and return them with the next Office Action.

Information Disclosure Statement

June et al.

Docket No. 36119.140US3

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Please charge any fees that might be due in connection with this matter to Deposit Account No. 08-0219. If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,



Colleen Superko, Registration No. 39,850

Date: April 20, 2004

Hale and Dorr LLP
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Boston, MA 02109
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Fax: (617) 526-5000

Sub. For, PTO-1449 INFORMATION DISCLOSURE IN AN APPLICATION <i>(Use several sheets if necessary)</i>				Docket Number 36119.140US3	Application Number To Be Assigned
				Applicant June et al.	
Sheet	1	OF	1	Filing Date April 20, 2004	Group Art Unit To Be Assigned

U.S. Patent Documents

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

Foreign Patent Documents

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)

A1	Culver et al., "In Vivo Expression and Survival of Gene-Modified T Lymphocytes in Rhesus Monkeys," Human Gene Therapy, 1:399-410 (1990)

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609: Draw Line through citation if not conformance and not considered. Include copy with next communication to applicant.	

APPLICANT FACSIMILE OF FORM PTO-1449
REV 7-80U.S. DEPARTMENT OF
COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.

RPI-035CP

SERIAL NO.

08/475,136

LIST OF PUBLICATIONS CITED BY APPLICANT
(Use several sheets if necessary)**COPY**

APPLICANT

June et al.

FILING DATE

June 7, 1995

GROUP

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
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FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
							YES NO
	AB	WO 94/29436	12/94	PCT			
	AC						
	AD						
	AE						
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OTHERS (including Author, Title, Date, Pertinent Pages, Etc.)

AG	Cann, A.J., et al., "High Efficiency Transfection of Primary Human Lymphocytes and Studies of Gene Expression," <i>Oncogene</i> , vol. 3, 123-128 (1988);
AH	Fauser, A.A., "Long-Term Expression of Gene Introduction into Normal Human T-Lymphocytes by Retroviral-Mediated Gene Transfer," <i>Journal of Cellular Biochemistry</i> , vol. 45, 353-358 (1991);
AI	Finer, M., et al., "kat: A High-Efficiency Retroviral Transduction System for Primary Human T Lymphocytes," <i>Blood</i> , vol. 83, no. 1, 43-50 (1994);
AJ	Lowenthal, J., et al., "Tumor Necrosis Factor α Induces Proteins that Bind Specifically to κ B-like Enhancer Elements and Regulate Interleukin 2 Receptor α -chain Gene Expression in Primary Human T Lymphocytes," <i>Proc. Natl. Acad. Sci. USA</i> , vol. 86, 2331-2335 (1989);
AK	Novak, T., et al., "In Vitro Transfection of Fresh Thymocytes and T Cells Shows Subset-Specific Expression of Viral Promoters," <i>Molecular and Cellular Biology</i> , vol. 12, 1515-1527 (1992);
AL	Park, J. et al., "Transcriptional Regulation of Interleukin 3 (IL3) in Primary Human T Lymphocytes," <i>The Journal of Biological Chemistry</i> , vol. 268, no. 9, 6299-6308 (1993);
AM	Philip, R., et al., "Efficient and Sustained Gene Expression in Primary T Lymphocytes and Primary and Cultured Tumor Cells Mediated by Adeno-Associated Virus Plasmid DNA Complexed to Cationic Liposomes," <i>Molecular and Cellular Biology</i> , vol. 14, 2411-2418 (1994);
AN	Tiberghien, P., et al., "Ganciclovir Treatment of Herpes Simplex Thymidine Kinase-Transduced Primary T Lymphocytes: An Approach for Specific In Vivo Donor T-Cell Depletion After Bone Marrow Transplantation?," <i>Blood</i> , vol. 84, no. 4, 1333-1341 (1994).
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Examiner	Date Considered
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*EXAMINER	Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
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LIST OF PUBLICATIONS CITED BY APPLICANT
(Use several sheets if necessary)

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08/475,136

APPLICANT

C. June et al.

FILING DATE

June 7, 1995

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
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FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	BB	WO 90/05541	5/90	PCT			
	BC	WO 94/12196	6/94	PCT			
	BD	WO 95/03408	2/95	PCT			
	BE	WO 95/33823	12/95	PCT			
	BF	WO 95/34320	12/95	PCT			
	BG	WO 96/01122	1/96	PCT			
	BH	WO 96/02646	2/96	PCT			
	BI	WO 96/06942	3/96	PCT			

OTHERS (including Author, Title, Date, Pertinent Pages, Etc.)

BF		Guba, S.C. et al., "Interleukin-3 Gene Induction in Normal Human T Cells Via Stimulation of CD3 and CD28," <i>Clinical Research</i> , vol. 37, no. 4, (1989).
BK		
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Examiner

Date Considered

*EXAMINER

Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Notice of References Cited

Application No. 13/475,136	Applicant(s) June et al.	
Examiner Dave Nguyen	Group Art Unit 1633	Page 1 of 1

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

NON-PATENT DOCUMENTS

* A copy of this reference is not being furnished with this Office action.
(See Manual of Patent Examining Procedure, Section 707.05(a).)

COPY *Notice of References Cited*

Application No.	Applicant(s)
08/475,136	

June et al.

Examiner

Dave Nguyen

Group Art Unit

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Page 1 of 1

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

NON-PATENT DOCUMENTS

DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE

COPY**Notice of References Cited**Application No.
08/475,156

Applicant(s)

Tune et al.

Examiner

D. Wagner

Group Art Unit

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Page 1 of 1**U.S. PATENT DOCUMENTS**

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FOREIGN PATENT DOCUMENTS

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Notice of References Cited

Application No. 08/475,136	✓ Applicant(s) June, et al.
Examiner Patrick Twomey	Group Art Unit 1804

Page 1 of 1

U.S. PATENT DOCUMENTS

DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
A 5,399,346	03/21/95	Anderson, et al.	424	93.21
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